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Cracking the Code: reflections on implications for teacher education and professional formation following the introduction of the Special Educational Needs and Disability Code of Practice 2014

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Abstract

This discursive article considers implications for teacher education in England following the introduction of the new Special Educational Needs and Disability (SEND) Code of Practice (CoP) 2014. Tailored training to increase skills in differentiation and personalization, as well as the skills required to lead effective review meetings for children with SEND and their families may be one response. However, the article argues that rather than viewing the Code merely as a manual, a critical engagement with its messages and intentions may better prepare beginning teachers to meet the demands and expectations articulated within. One such example is the familiarization with the ongoing debate in literature about shortcomings in partnership working. By considering the SEND Code of Practice from the vantage points of professionalism and professional ethics, and by discussing contested conceptions of professional identity as well as personal responses to uncertainty, complexity and dilemmas, teacher educators can support individuals to draw on resources beyond prescriptive guidance and SEND awareness training for professional formation.

Key Words: SEND Code of Practice; professional identity; ethical practice; ethical knowledge; parent partnership working; uncertainty

Introduction

The SEND Code of Practice 2014 (DfE 2014) sets out prescriptive statutory guidance instructing schools, local authorities and health authorities in England how to meet the educational, social care and health needs of children and young people with special educational needs and disabilities. This third re-articulation of the SEND CoP is an attempt to address the widely recognized under-performance of the previous SEN system (Lamb 2009) and has placed increased demands on mainstream teachers in English schools. It now expects them to fully meet individual needs of children and young people through high quality teaching that is 'differentiated and personalised' (DfE 2014: 1.24), and makes class and subject teachers 'responsible and accountable' (6.36) for the progress and development of the pupils in their class. Differentiation is seen as the process by which differences between learners are accommodated so that all students in a group have the best possible chance of learning, including those with special educational needs. The SEND CoP has also increased expectations of effective partnership working with parents and requires class and form teachers, rather than senior managers, to lead the regular SEN review meetings mandated within (DfE 2014: 6.67). Many teachers feel ill prepared, and whilst these additional expectations have been described by one experienced teacher as 'scary', it is most obviously of greatest concern to trainee teachers and those who are newly qualified, as they are not yet able to draw on experience gained over an extended period of time.

This article highlights possible responses for teacher education and argues that meeting these heightened expectations can only partly be achieved through detailed

knowledge of the prescriptive guidance set out in the Code, or through offering the suggested 'awareness', 'enhanced' or 'specialist' training (DfE 2014: 4.32) for school staff. Rather than merely viewing and introducing the Code as a 'how to' manual, sustained critical engagement with the content and intentions of the document can offer individuals a "tool for difficult thinking" (Campbell 2003: 9) in their expanding professional repertoire and enable uncertainty to be viewed "as the home ground for the moral person" (Bauman 2008: 68). A first section will briefly outline the context of the new SEND Code of Practice 2014 and discuss implications for teachers and teacher education in England. A second section will problematize parent-professional partnerships and highlight difficulties arising from oversimplifications of contested concepts. Two further sections will consider the SEND CoP from the vantage points of professionalism and professional ethics by discussing contested conceptions of professional identity, and by considering responses to uncertainty, complexity and ethical dilemmas that may arise.

The new SEND Code of Practice

For teachers in England, the most significant changes to their daily practice brought about by the introduction of the new SEND CoP are threefold. Firstly, the replacement of *Statements of Special Educational Needs* which focused on educational provision by the new *Education, Health and Care Plans* (EHCP), with an increased focus on desired outcomes for the child and the introduction of SMART (specific, measurable, attainable, relevant, timed) targets for which the teacher is accountable. Secondly, the merging of previous *School Action* (extra support provided from resources within the school) and *School Action Plus* (extra support provided through outside agencies) categories into a single SEN category in school, adopting a graduated approach to interventions and a heightened expectation that teachers will meet additional needs through better differentiation and personalization, rather than through extra resources. Thirdly, the substitution of the previous BESD (Behaviour, Emotional and Social Development) area of need with the new area of Social, Emotional and Mental Health Difficulties and the expectation that teachers can identify underlying reasons for presenting challenging behavior.

The Code assumes improved skills of differentiation and personalization of learning to ensure children with SEND can achieve in inclusive classrooms (Lewis & Norwich 2005; Mitchell 2014), as well as an understanding of how a range of conditions and difficulties relating to SEND can affect learning and learning behaviour (Peer & Reid 2012). Acquiring these improved skills may be addressed through targeted changes to Initial Teacher Education and Continuing Professional Learning offers, and by better catering for the suggested 'awareness', 'enhanced' or 'specialist' training for staff as outlined in the Code.

What has long been a challenge posed by the inclusion movement - to treat "differentness as ordinary and to take responsibility for all learners" (Nind 2002: 78), is now enshrined in the new Code. However, whilst these arrangements may demonstrate a real commitment to inclusive practice and the removing of barriers to learning (DfE 2014: 1.2), it is worth noting that the Code considers higher quality teaching available to the whole class not primarily as an issue of equality and inclusion, but rather one of cost effectiveness and sustainability (6.15). The underperformance of the SEN system in England has been explained by inadequate guidance given to professionals who are operating in an overly complex system (DfE 2011) and does not acknowledge the wider (neoliberal) political context of successive governments in which educational policy, including SEND policy, has been formulated (Harris 2005; Fisher 2011). Hodge & Runswick-Cole (2008) for example

argue that there is little support for teachers to engage in practices that move away from child-centered interventions which still support an outdated within-child model of disabilities, in favour of practices that support a socially constructed one (for a detailed discussion see Hodkinson & Vickerman 2011). The focus on personalization and greater choice and control for families that is articulated in the Code confirms this assessment.

Problems in partnership working with parents

At the heart of the new SEND CoP is an increased expectation of participation in decision-making and greater choice and control over support for children and their families (DfE 2014: 1.2). For class and form teachers, this means more sustained engagement with parents and a requirement to lead the regular review meetings, which can be a stressful experience where beginning teachers may feel particularly ill equipped (Tveit 2014) and where additional training will be welcome. The Code certainly acknowledges that conducting these discussions effectively involves a considerable amount of skill (DfE 2014: 6.68) and suggests that schools need to ensure that teaching staff can manage these appropriately.

The very extensive literature which documents the troubled relationship between parents of children with SEND and professionals (Armstrong 1995; Trussell et al. 2006; O'Conner 2008; Goldfarb 2010; White and Macleod 2010; Macleod et al. 2012) is quick to blame professionals for maintaining an inordinate imbalance of power and for lacking in empathy and understanding of parental concerns. Learning the lessons from this body of knowledge as well as understanding its critique (Harris 2005; Hodge & Runswick-Cole 2008; Murray et al. 2011), including by locating some of these difficulties in the debate around neoliberal demands made on parents and professionals (Russell 2008; Parrott 2008; Wright 2012; Passy 2013), will further equip beginning teachers. Investigating a range of models of partnership working (for a discussion see Fredrickson & Cline 2009) and adopting and refining one's own model will also be of benefit. For this to happen, teachers need to be open-minded, free-thinking and willing to adopt new perspectives, which leads O'Conner (2008: 265) to conclude that "competence cannot compensate for personal qualities", suggesting that greater attention to personal attributes of professionals as well as to their identity formation needs to be given.

Conceptualizations of professional identity

There are many conceptualizations of professionalism and professional identity (Carr 2000; Sculli 2005; Evetts 2006), with a general agreement that contemporary professional identity, including those of teachers, is threatened by audit and accountability practices (Ball 2003); practices mediated via a prescriptive Code being one example. Critiques highlight the tension between institutional and vocational identities and the resulting undermining of autonomy and personal judgement by the shifting in emphasis from ethics to efficiency (Ball 2004; Cribb 2011). Values such as autonomy, trust and risk-taking are thereby often disregarded (Stronach et al. 2010: 212).

Bauman (2008: 13) points to identity re-formation as a lifelong task of readjustment and renegotiation, where the "incurable inconclusiveness of the task" brings with it conflict and apprehension for which there is no easy resolution. For this reason universalist, reductionist accounts of the professional, often encapsulated in a written code, are inadequate and need to be questioned (Dawson 1994); a professional

identity which emphasizes the “local, situated and indeterminable nature of professional practice” (Stronach et al. 2010: 115), where diversity and trust is valued in order to address contradictory demands of the role, needs to be encouraged instead. As teachers are increasingly expected to take on pre-formulated roles, their emotional identities may be restrained and the experience and management of strong emotions unsupported. Negative emotions, feelings of vulnerability and professional uncertainty can be particularly experienced when “professional identity and moral integrity are challenged by policy changes, parents or colleagues in the light of unrealistic expectations” (Day et al. 2006: 613). An exploration of what the SEND CoP demands of and does to individuals and their professional identity, rather than merely what it prescribes, may therefore be an important aspect of teacher education.

Professional ethics, ethical codes and ethical uncertainty

In this section a broader discussion of professional ethics as one aspect of professional accountability will contrast attempts to formalize and codify conduct with conceptions of “uncertainty as the home ground of the moral person” (Bauman 2008: 63). Professional ethics are the “norms and standards of behaviour of specific occupational groups, and the ethical issues and dilemmas that arise in their practice” (Banks 2004: 3). Moral dilemmas are either “a difficult choice between two or more equally defensible alternatives; between two equally indefensible alternatives; or a choice involving doing wrong in order to do right” (Campbell 2008: 368). For teachers in particular, they manifest themselves in whether to openly voice moral opposition, quietly subvert expectations, or to live with the guilt of doing nothing. Most of the unresolved dilemmas in Campbell’s research relate to opposing interpretations between parents and professionals about what constitutes the best interest of a child, which is also a repeating theme in the SEN parent-partnership literature (Tveit, 2014).

Ethical professional practice is argued to be shaped by an ethic of care (demonstrated in positive relationships with others), an ethic of justice (demonstrated in shared and collaborative practices) and an ethic of critique which allows for questioning policies and practices in order to improve them (Ehrich et al. 2013). Ethical action is action that makes use of existing experiences, welcomes new ideas as well as criticism, learns from new experiences and mistakes made, and can in the process transform relationships. Conflict can so be viewed as productive professional practice rather than as an indication of professional incompetence or systemic failure, with professionals often experiencing themselves most as professionals in those very conflicts and tensions (Stronach et al. 2002). A professional judgment is not so much “a decision about which rule to follow, but a reaction to the morally relevant aspects of the situation” (Dawson 1994: 151), which places ethical choices and judgements at the centre of decision-making, rather than knowledge of a code, including the SEND CoP 2014.

Urban (2008) writes in the context of the professionalization agenda of Early Years practitioners and argues that professional choices and ethical dilemmas unfold in the every-day experience of being required to act specifically, unrehearsed and unaided in ever-changing, ambiguous situations which are usually determined by factors beyond the practitioners’ control and accompanied by pressures to produce pre-determined outcomes. He argues for a relational, systemic professionalism that embraces openness and uncertainty, and encourages co-construction of professional knowledge and practices. Campbell (2003: 9) defines this as ‘ethical knowledge’ and argues it to be the defining knowledge base of teaching as a profession. It is understood as practical wisdom distinct from technical competencies, and one which

offers “tools for thinking about difficult matters”, including the challenging matter of meeting the needs of children with SEND.

This implies the need for actions “to be interpreted within a broad moral landscape” (Stronach et al., 2010: 125) rather than a reductionist one (drawing here on the argument that narrow conceptualizations of morality inevitably imply and produce prejudice and discrimination) and echoes Cribb’s (2011) assertion of the validity of a situated, individually negotiated ethical role occupation. It also implies an acceptance of professional diversity in place of national competencies which demand compliance and insinuate the existence of a “once-and-for-all remedy” for professional decision making. It further requires the promotion of professional forms of trust which accepts risks as an ethical necessity in contrast to normative regulations which aim to reduce the “infinity of ethical demand” (Bauman 2008: 48) to a realistic task by making the responsibility limited, specific, codified and conditional. It is a professionalism that demands both a collective and an individual sense of ethical responsibility (Campbell, 2008) which views teachers as moral agents and gives consideration to the ethical dilemmas arising in teaching, with its implications for teacher education and educational administration.

Conclusion

This article has argued that a narrow focus on understanding the responsibilities outlined in the SEND CoP 2014, and on furnishing teachers with improved skills in differentiating and personalizing learning as well as in conducting review meetings with parents, will not fully equip individuals to meet the increased expectations of inclusive practice and partnership working in a marketized world of SEND. Whilst this particular Code only applies to English schools, the wider implications will be of relevance in other contexts and for other codes. Rather than introducing and viewing the SEND CoP as a manual which dictates practice, it should be introduced and interrogated by teacher educators to foster an expanding understanding of a contested professional identity formation and a searching for ethical practice when faced with difficult dilemmas. In this way beginning teachers can be supported in addressing the challenges encountered in the day to day implementation of the Code.

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